



DISASTER RECOVERY INITIATIVE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Allocations, Waivers and Alternative Requirements for Grantees Receiving Community Development Block Grant
Disaster Recovery Funds in Response to Disasters Occurring in 2011, 2012 and 2013
The Disaster Relief Appropriations Act, 2013 (Public Law 113-2)
Federal Register #s 84 FR 4836, 81 FR 36557, 82 FR 36812

LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT-DISASTER RECOVERY UNIT

**STATE OF LOUISIANA
SUBSTANTIAL AMENDMENT NO. 5:
INTRODUCTION OF NEW ACTIVITIES AND
PROJECT NARRATIVE CLARIFICATIONS
FOR THE UTILIZATION OF
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
UNDER THE NATIONAL DISASTER RESILIENCE COMPETITION (NDRC)
RESETTLEMENT OF ISLE DE JEAN CHARLES**

To Be Submitted to HUD: April 23, 2019

John Bel Edwards
Governor

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Overview

This Action Plan Amendment #5 (first Substantial Action Plan Amendment) is considered substantial because it adds eligible activities to achieve the program goals. The APA also clarifies information contained in the state's Phase II Application to the National Disaster Resilience Competition:

1. Replaces program descriptions for the Isle de Jean Charles Resettlement (Exhibit B: Threshold Requirements – Page 15 and Exhibit E: Soundness of Approach – Pages 105-109, **National Disaster Resilience Competition Phase II Application**);
2. Amends Eligible Activities denoted for the Isle de Jean Charles Resettlement (Exhibit B: Threshold Requirements – Page 13 and Exhibit E: Soundness of Approach – Page 109, *National Disaster Resilience Competition Phase II Application*);

Isle de Jean Charles Program Description

(Amendment to Exhibits B and E)

Subsequent to the state's submission of its application to the National Disaster Resilience Competition, the state has worked closely with leaders and residents of Isle de Jean Charles and the surrounding communities, national resettlement and Native American subject matter experts and other nonprofit organizations to better understand the intricate complexities faced by a diverse set of stakeholders. The program description in this section amends and replaces Exhibits B and E in the state's Phase II Application in order to provide additional context and understanding of the project's multiple stakeholders and the diversity of potential program participants.

National Disaster Resilience Competition (NDRC)

The U.S. Department of Housing and Urban Development (HUD), in collaboration with the Rockefeller Foundation, conducted a two-phase National Disaster Resilience Competition (NDRC) to distribute \$1 billion in funding to state and local governments to help communities recover from natural disasters and advance resilience-building initiatives.

At the competition's conclusion, HUD awarded Community Development Block Grant National Disaster Resilience (CDBG-NDR) funds to thirteen (13) state and local governments. The State of Louisiana was awarded \$92,629,249 of CDBG-NDR funds for the following projects, to be administered by the Office of Community Development – Disaster Recovery Unit (OCD-DRU):

- **Louisiana's Strategic Adaptations for Future Environments (LA SAFE)** – \$39,750,000 for the planning and capitalization of a state-administered fund to provide gap assistance for public, privately-owned and/or nonprofit projects and programs for Resilient Housing, Resilient Transportation, Resilient Energy, Resilient Infrastructure, Economic Development, Public Services, Community Nonstructural Mitigation/Flood Risk Reduction, and/or Planning/Education. These concept proposals were presented as project, program, and policy recommendations emanating from a multi-phase, community-driven planning effort, to be codified in parish-wide Strategic Adaptation Plans. Using information and projects identified in the Strategic Adaptation Plans, the state will work with eligible communities to select CDBG-NDR projects to be funded through the LA SAFE Program. In addition to the HUD CDBG-NDR award, the State of Louisiana has committed an

additional sum of \$7,750,000 in supporting leverage, bringing the total value of the initiative to \$47,500,000.

- **Isle de Jean Charles Resettlement** – \$48,379,249 for the Resettlement of Isle de Jean Charles, a coastal island community in coastal Terrebonne Parish currently experiencing severe land loss and extreme flood risks, to a resilient and historically contextual community. The Resettlement of Isle de Jean Charles is broken down into multiple phases: (1) Data Gathering and Engagement, (2) Site Selection, Acquisition, and Master Planning, (3) Development and Construction and (4) Living in the New Community.

In addition to the funds for these two (2) projects, HUD awarded to the state \$4,500,000 for administrative costs.

Resettlement of Isle de Jean Charles: The Multifaceted View

Imperiled on the front line of coastal erosion and rising seas, the bayou region of south Louisiana is home to diverse peoples and cultures. The residents of Isle de Jean Charles—a people of predominantly tribal ancestry—live in this region, on an island that is rapidly disappearing into the Gulf of Mexico. Once encompassing more than 22,000 acres, only 320 acres of Isle de Jean Charles remain. The sole connecting road to the mainland—Island Road, built in 1953—is often impassable due to high winds, tides, sea level rise or storm surge. This effectively blocks residents from school, work and essential goods and services.

The land where island residents and their families once hunted, trapped, grazed animals and farmed is now open water. Unfortunately, it is not realistic to save the island’s landmass. So the question arises, how does the state help residents resettle to a new home, while preserving their culture and values in a new place that offers a prosperous and sustainable future? In response to that question, a dedicated team of state and local officials, planners, engineers, architects and policymakers is collaborating with current and former island residents to develop a program for the Resettlement of Isle de Jean Charles.

Even with this focused effort, the Resettlement emerges as a complex process, involving a wide range of cultural, social, environmental, economic, institutional and political factors. As with any inclusive effort, all stakeholders bring unique values and perspectives to the table, which often complicates consensus-based decision-making. Therefore, the Resettlement cannot be driven solely by economic and operational objectives but must incorporate a comprehensive, holistic and open-ended approach.

Resettlement Funding: HUD Awards \$48.3 Million in CDBG Disaster Recovery Funding

In January 2016, HUD awarded the State of Louisiana \$48.3 million in Community Development Block Grant funds for the Resettlement of Isle de Jean Charles, as part of the Office of Community Development’s winning application to the National Disaster Resilience Competition.¹

¹ United States Department of Housing and Urban Development. “HUD Awards \$1 Billion Through National Disaster Resilience Competition.” Last modified Jan. 29, 2016. <https://www.hudexchange.info/news/hud-awards-1-billion-through-national-disaster-resilience-competition/>
Grantee profiles: <https://www.hud.gov/sites/documents/NDRCGRANTPROF.PDF>

With Resettlement funding now in place, Louisiana has the ability to make possible a structured and voluntary retreat from Isle de Jean Charles that is thoughtful and equitable, while maximizing opportunities for current and past island residents.

Resettlement Mission: Holistic Approach to Relocation

From the outset, the state's expressed purpose has been to provide all current, permanent residents with relocation options that reflect the values of Isle de Jean Charles' people. In keeping with this goal and mindful of dire environmental conditions faced by island residents, the intended primary beneficiaries of the Resettlement are current, permanent residents of the island and former island households displaced since Aug. 28, 2012.²

The Resettlement team is committed to implementing the relocation process in a manner that emphasizes residents' self-determination. Guided by an understanding of their expressed priorities, needs and concerns, the new settlement will reflect the Isle de Jean Charles community's values, cultural affiliations and economic objectives.

With resilience in mind, the Resettlement will incorporate sustainable materials and practices conducive to residents' future safety and stewardship of natural resources. Moreover, as the Resettlement establishes itself over time, the state expects on-site generated revenue and capital to contribute to the economic sustainability of the new community, specifically as the community's commercial corridor is established.

Finally, in addition to serving the needs of the island residents, the state hopes its holistic approach will illustrate best practices and lessons learned for the Resettlement of other diverse and culturally rich communities facing climate-driven relocation.

Resettlement Goals: Safety, Collaboration, Sustainability and Preservation

The goals of the Isle de Jean Charles Resettlement include:

- Assist willing island residents in moving out of harm's way to safe, new homes in a community that provides an improved quality of life; or, if they prefer not to join the community, they may move to an established home in a lower-risk area in Louisiana.
- Collaborate with current and past island residents on the design of the new community.
- Ensure that the community is economically sustainable in its new location.
- Facilitate preservation and continuity of islanders' diverse cultural identities and traditions.
- Create a holistic approach to the Resettlement that will illustrate best practices and lessons learned for consideration by other diverse and culturally rich communities facing climate-driven relocation.
- Create an opportunity for past island residents to rejoin the community in its new location.

Resettlement Context: The American Indian Ancestry of Isle de Jean Charles

In 1979, the Houma Alliance and the Houma Tribe merged into the United Houma Nation (UHN), forming a new not-for-profit organization. In 1981, the UHN joined the Intertribal Council of Louisiana, which guides Louisiana government in matters concerning American Indians. In 1985, the United Houma Nation, which

² This date marks Hurricane Isaac's landfall, which qualified OCD's Resettlement project for funding through HUD's National Disaster Resilience Competition.

included some residents of Isle de Jean Charles, filed its first petition for federal recognition, which was denied in 1994. UHN filed a rebuttal in 1996.

Following the Bureau of Indian Affairs' denial of the United Houma Nation's petition for federal recognition in 1994, some individuals withdrew from the UHN. The Biloxi-Chitimacha Confederation of Muskogees, Inc. (BCCM) and the Pointe-au-Chien Tribe each filed separate petitions for federal recognition, but both were denied in 2008. On July 1, 2015, the U.S. Department of the Interior published a new set of guidelines for recognition. All three Tribes are now seeking federal recognition under the revised regulations.

Some U.S. states have established legal processes to evaluate and recognize American Indian tribes and organizations that are not federally recognized, in order to provide aid or assistance to members of those groups. These processes vary across states and there is no official registry of state-recognized tribes. In 2004, the Louisiana legislature acknowledged the Indian ancestry of members of the Pointe-au-Chien Indian Tribe; and the Isle de Jean Charles Band, the Bayou Lafourche Band, and the Grand Caillou/Dulac Band of the BCCM (referred to in the resolution as the "BCCM tribes") "for the sole purpose of qualifying for Indian education and health care benefits due these Native American citizens" (Louisiana Senate Concurrent Resolution No. 105).

Resettlement Census: The Current Population of Isle de Jean Charles

After HUD awarded the grant to the State of Louisiana, OCD conducted a census of island residents. This was the first foray into what would become an extensive, on-the-ground outreach and engagement initiative, which also documented the island's infrastructure. During this initial effort, the team formed relationships with many island residents, as well as the extended community.

Through this exhaustive process, the state discovered a diverse community of sometimes competing tribal interests. Some residents speak of ties to the BCCM, while others speak of ties to the UHN. Some speak of ties to both tribes, and still others speak of no tribal affiliation. The outreach team also noted that many former island residents, identifying with differing tribal affiliations, moved inland after repeated disasters, seeking safety and economic opportunity. Hence, in addition to resettling current residents, the program is designed to give former residents a chance to rejoin the community in its new location.

Regardless of which tribe residents and former residents identify with, the Resettlement is, by federal law and the state's desire, not tied to any particular tribe, race or belief system. The residents' participation in the Resettlement is entirely voluntary; the state is not forcing anyone to leave the island and will ensure that all residents make their own decisions, free from fear or favor. The state continues to conduct outreach and strengthen relationships with island residents in many ways, including regular visits to the island.

Resettlement Transitional Housing: Optional Relocation Assistance Program

Nearly 20 island families are living in upland rental units off the island while the new community is being developed. This interim rental option allows residents the ability to relocate prior to completion of the new community. These families represent about half of the island's 2016 population. Other residents have opted to remain on the island until the new community is ready for move in.

Resettlement Development: In Phases

Phase I: Data Gathering and Engagement (June 2016-November 2016)

Phase I included initial outreach to and engagement with current island residents, as well as a preliminary land use and infrastructure survey of the Island. The team's interactions with residents provided insight into residents' priorities and revealed additional complexities to be addressed during subsequent phases. The team learned that residents' values include privacy, seclusion, access to water, safety, flood protection, continued access to the island and maintaining and strengthening cultural identity. However, values vary widely from individual to individual—there is no single, homogenous set of community priorities shared by all island residents. The program team continues to build relationships with each island resident to ensure this diversity of values and priorities is well represented in the development of a new community for Isle de Jean Charles. A final report on Phase I can be found at www.isledejeancharles.la.gov/phase-1-resettlement-project.

Phase II: Site Selection, Acquisition and Master Planning (December 2016-February 2019)

Understanding and reflecting residents' needs and their vision for their future community is the project's highest priority. As part of the Resettlement's planning phase, a series of public meetings and one-on-one conversations took place, with meetings continuing throughout the planning effort to ensure island residents have ongoing engagement with team members and the resettlement process as a whole.

- **November 2016 – May 2017:** The state conducted an exhaustive site evaluation process throughout Terrebonne Parish. In May 2017, the state provided island residents an opportunity to visit potential sites for the new community.
- **July 2017 – September 2017:** In July 2017, the Resettlement team hosted its third community meeting to discuss the pros and cons of the identified suitable tracts; to discuss general market and appraised values; and to take a site-preference survey of island residents. The state also issued an RFP for a master planner. A selection committee, which included representatives from the island community, chose a consultant team to develop a master plan. The planning team has worked closely with current and former island residents to solidify design plans and programming for the new Isle de Jean Charles community, including a structured retreat from the island.
- **January 2018 – September 2018:** A steering committee comprising island residents and members from various island community stakeholders—including representatives from the UHN and BCCM tribes—convened six times throughout the master planning process. The steering committee serves as an advisory board and liaison between the state and the island community. A separate academic advisory committee provides guidance to the planning team. The academic advisory committee includes local and national scholars who understand the environment and cultures of the region, as well as the complexities of resettlement processes.
- **March 2018:** The state placed a purchase option on the property residents selected during the site preference survey.

- **December 2018:** Following completion of site due diligence, including federally required environmental reviews, the Louisiana Land Trust, on behalf of the state, purchased the selected property for development of the new community.

Phase III: Development and Construction (March 2019-October 2019)

Phase III is the execution phase, during which the state will implement the master plan created during Phase II. Phase III will consist of completing the next phase of the environmental review, finalizing site design work, acquiring permits, laying infrastructure, constructing housing, initiating business development activities, launching workforce training programs and helping residents move into the new community. **See Program Options & Method of Distribution — Resettlement Options: Eligibility and Benefits.**

Phase IV: Living in the New Community

Eligible families who participate in the program will enter into a forgivable mortgage on the property in the new community. One-fifth of the mortgage will be forgiven each year over the course of five years, during which time no payments are required, provided the resident maintains primary residency and the required insurance on the new property. After five years the resident will own the new property in full, provided these requirements have been met.

Resettlement Constraints: Compliance with Federal Laws and Funding Requirements

Given that the Resettlement is federally funded with CDBG funds from HUD, the project is subject to a vast and complex body of regulations and laws. Two federal requirements are particularly relevant to the program design: *cost reasonableness* and compliance with the *Fair Housing Act*.

Cost Reasonableness: Relocation Costs and Continued Use of Island Property

As required by HUD, costs paid with CDBG funds must be necessary and reasonable³ to carry out the grant’s objectives. The state’s application argued that high-risk conditions on the island make it unsafe for habitation—a position HUD agreed with in awarding the grant to OCD and reaffirmed in 84 FR 4836 (2/19/19). It is neither necessary nor reasonable to use federal funds to relocate families from high-risk properties, only to allow those families to return to those high-risk properties for residential purposes in the future. Not only would this place them in harm’s way, it would also create a potential need for more disaster recovery funding in the future.

That said, the island holds an important sense of place for its current and former residents. As detailed in the state’s application to HUD, it is critical to allow property owners continued access to the island for ceremonial, cultural, historic and recreational purposes. Therefore, in order to comply with HUD requirements and respect the desires of islanders, the state has created an approach that allows owners continued access to their island properties. This approach allows existing structures to remain intact while ensuring the properties are not used for residential purposes or future redevelopment. This is an innovative solution and a significant departure from traditional HUD-funded relocation programs, which require vacated land to become permanent open space. Moreover, as HUD asserts in 84 FR 4836, “While it is important to permit the community’s continued access to the island for these limited purposes, it is also important to take reasonable measures to ensure that the land is no longer used for primary residences or

³ 2 CFR 200.403, 2 CFR 200.404

otherwise developed in ways that frustrate the purposes of the grant to relocate the community to a safer area.”

To achieve these goals, the state has proposed two legal options for property owners to choose from in exchange for Resettlement assistance:

- **Option 1** — A mortgage on the property; or
- **Option 2** — A deed restriction in the form of an easement, also known as a “servitude” under Louisiana law.

These legal commitments will allow program participants continued use of island property for non-residential purposes, including recreational, cultural and/or historic purposes. Former and current island residents who do not own island property will enter into a personal grant agreement that limits their current or future use of any island property to non-residential purposes.

The Fair Housing Act

In addition to cost reasonable requirements, the Resettlement must comply with the Fair Housing Act, which makes it illegal for public or private housing developments to discriminate based on race, color, religion, sex, disability, familial status or national origin. Therefore, the program is open to all residents of the island, and in later phases to past residents of the island, regardless of tribal affiliation, race, color, religion, sex, national origin, familial status or disability.

Resettlement Status: Anticipated Events

The formal application process for participations in the Resettlement will launch in early 2019. Resettlement team members will host a series of outreach events to provide additional information and answer questions. Dates and locations of outreach events are yet to be determined. Groundbreaking is anticipated in fall 2019, after the state releases a master plan for the new site. For more information, visit IsleDeJeanCharles.la.gov.

Heart of the Resettlement: Parting from the Island

The Resettlement of Isle de Jean Charles is a process filled with both relief and uncertainty for islanders. Most islanders know they should move; but for many, this move will take them away from all they have ever known. Several residents have expressed concern about the distance between the new community and the island.

In interviews with the Resettlement team, island residents revealed they see Isle de Jean Charles as a place of security and isolation. They embrace the rural setting—the quiet, the tranquility and most of all, their relationship with the water. It is a place where they know each other and their history, and a place where both independence and care for neighbors and family are core values.

Despite its challenges, residents know how to live on the island. They are resilient and ingenious “do-it-yourself” individuals who can repair their houses and fix their cars, heaters and pipes. They know how to prepare for storms and how to recover afterward. Some of these skills are transferable to the new site, but others will be lost. As one islander said, “I have never fished in fresh water; I have only fished in salt water.” He went on to describe how he views the difference and the magnitude of change it requires. This is just one of the many changes islanders are facing. Although the proposed move is only 40 miles north, in many ways, it is a world away.

Parting from the island will be a transformative process, as individuals and families adapt in significant ways. The Resettlement team will continue to work closely with the community to ensure that throughout this leave-taking and the losses it entails, there are new opportunities, new connections, and a new peace and security to be found.

Program Description & Method of Distribution

The state initiated closing proceedings on the Evergreen site in December 2018, in partnership with the Louisiana Land Trust (LLT), a 501(c)(3) nonprofit organization the state has partnered with in the past to transact in real property, most notably in conjunction with the Road Home program following hurricanes Katrina and Rita.

For the purposes of distribution of grant resources, the State has entered into a Cooperative Endeavor Agreement (CEA) with the LLT to conduct site development activities. All other programmatic activities will either be conducted by the state directly or through subsequent execution of CEA or other subgrantee/subrecipient agreements.

Resettlement Options: Eligibility and Benefits

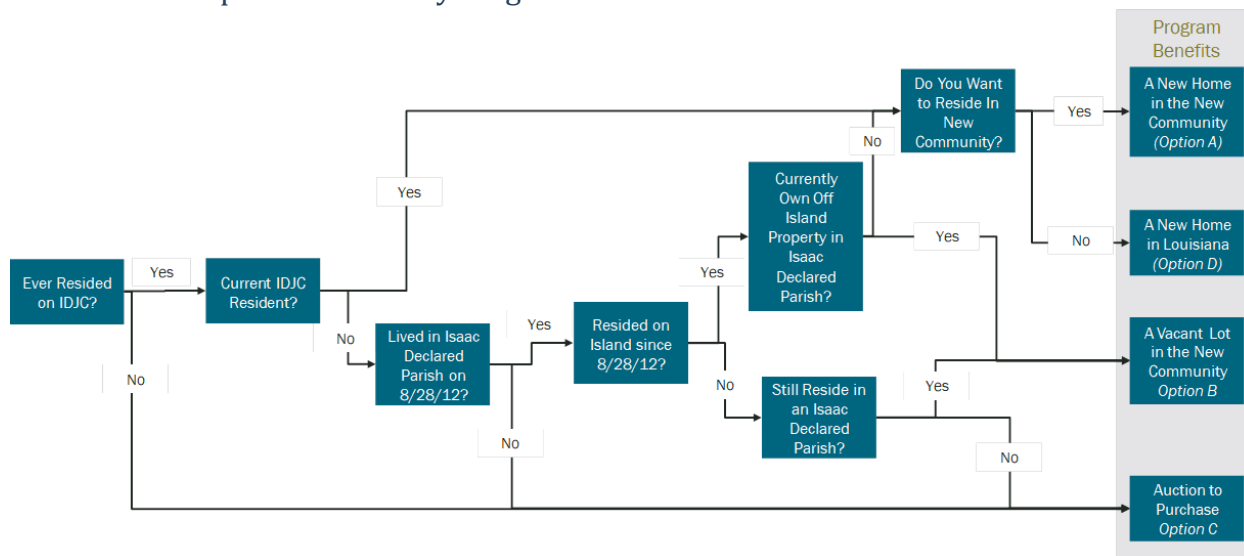
The Resettlement options are first available to residents currently living on the island, or those displaced since Hurricane Isaac's landfall in 2012 who do not own a home. The state also anticipates that former permanent island residents displaced before Hurricane Isaac will be able to rejoin the Isle de Jean Charles community at the new site, if they lived in a federally declared disaster parish at the time of Hurricane Isaac. Any unused lots in the new community will be made available to the public through other housing programs or public auction for residential housing development.

A New Home in the New Community	A New Home in Louisiana	A Vacant Lot in the New Community
Eligibility Criteria		
<ul style="list-style-type: none"> Current permanent, primary residents on the island Past permanent, primary residents displaced on or after Aug. 28, 2012 (Hurricane Isaac) who do not currently own an off-island home. Residents who were displaced after the storm and were not permanent residents of the island at the time of the storm must have lived in a Hurricane Isaac federally-declared disaster parish on Aug. 28, 2012. 	<ul style="list-style-type: none"> Current permanent, primary residents on the island Past permanent, primary residents displaced on or after Aug. 28, 2012 (Hurricane Isaac) who do not currently own an off-island home. Residents who were displaced after the storm and were not permanent residents of the island at the time of the storm must have lived in a Hurricane Isaac federally-declared disaster parish on Aug. 28, 2012. 	<ul style="list-style-type: none"> Past permanent, primary residents displaced before Aug. 28, 2012 (Hurricane Isaac), who lived in a Hurricane Isaac federally-declared disaster on Aug. 28, 2012 and who can demonstrate financial ability to build a new home Eligible applicants will be prioritized based on when they left the island. Past permanent, primary residents displaced on or after Aug. 28, 2012 who presently own a home

A New Home in the New Community	A New Home in Louisiana	A Vacant Lot in the New Community
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Available Benefit		
Eligible households will receive a new housing unit built at the community resettlement site.	Eligible households will receive funding toward an existing home within Louisiana that meets program standards, is located outside the currently recognized 100-year floodplain and is separate from the community resettlement site.	Eligible households will receive a vacant lot on the resettlement site. The program will support residents in identifying potential financing options to build a home on the community resettlement site.

Resettlement Options: Summary Diagram



Eligible Activities

This Action Plan Amendment #5 proposes to amend Eligible Activities as follows:

Eligible Activities Proposed in Application

Activity Number	Description
105(a)(1)	Acquisition of Real Property
105(a)(4)	Clearance, Rehabilitation, Reconstruction, and Construction of Buildings (Including Housing)
105(a)(11)	Relocation
105(a)(12)	Planning and Capacity Building

Proposed Added Eligible Activities

Activity Number	Description
105(a)(2)	Public Facilities
105(a)(7)	Disposition of Real Property
105(a)(8)	Public Services
105(a)(16)	Planning and Capacity Building (Renewable Energy/Conservation)
105(a)(14)	Activities Carried Out through Nonprofit Development Organizations

105(a)(15)	Assistance to neighborhood-based nonprofit organizations, local development corporations, nonprofit organizations serving the development needs of the communities in nonentitlement areas, or entities organized under section 301(d) of the Small Business Investment Act of 1958 to carry out a neighborhood revitalization or community economic development or energy conservation projects
105(a)(17)	Economic Development Assistance to For-Profit Business
105(a)(19)	Technical Assistance
105(a)(22)	Microenterprise Assistance
105(a)(24)	Homeownership Assistance
84 FR 4836	Housing Incentives, new construction and disposition as provided through all applicable waivers and alternative requirements
81 FR 36557 & 82 FR 36812	Other waivers and alternative requirements provided in current and future Federal Register Notices related to the activities previously approved and activities added in this substantial APA

Each of the proposed new activities anticipate eligible additional needs that may arise during development and construction activities, or have been highlighted as potential programming needs during or following construction activities for a new Isle de Jean Charles settlement. Proposed new activities are described below:

- **105(a)(2) Public Facilities:**

The state will use program funding to make infrastructure improvements necessary for the development of the new community to include, but not limited to: streets, sewerage, water and other utilities, sidewalks, parks, etc. If funding is available, the program will also construct community center and/or other public facilities.

- **105(a)(7) – Disposition of Real Property:**

The state envisions two potential scenarios regarding this activity:

1. Sales, leases and donations specific to real property dispositions within the newly-developed Isle de Jean Charles Community Resettlement location. This may include residential lots deeded to community members, critical infrastructure and recreational spaces to be maintained by a governing nonprofit or unit of local government, and sales and leasing activities for commercial purposes and to the economic benefit of the community;
2. Disposition of any interests in real property acquired relative to the current Isle de Jean Charles.

As noted by 84 FR 4836, “HUD is clarifying that costs incurred by the State to establish and record mortgage liens or limited real property interests on the island to restrict the use of the land as a primary residence are eligible costs that may be charged to the grant as part of the State’s new construction and disposition activities to relocate island residents.” Additionally, “the actions are not undertaken as part of acquisition activities that trigger buyout requirements.”

- **105(a)(8) – Public Services:**

If resources allow, the state may seek to provide public services related to the economic and social long-term viability of a new community settlement. Such services may include, but are not limited to, those concerned with employment, health, education, energy conservation, recreational needs, or limited legal services.

- **105(a)(14) – Activities Carried Out through Nonprofit Development Organizations:**

The state may choose to conduct activities through a nonprofit it has historically partnered with, such as the Louisiana Land Trust, or through a successor nonprofit organization ultimately responsible for governance and maintenance of the new Isle de Jean Charles settlement upon completion of construction activities.

- **105(a)(15)- Assistance to Neighborhood Based Development Organizations:**

The state anticipates providing assistance to and/or entering into a subrecipient agreement with a nonprofit corporation who will serve as the primary governing entity of the newly-established Isle de Jean Charles community. This entity will:

1. Be a neighborhood-based nonprofit organization, local development corporation or nonprofit organization serving the development needs of the community(ies) and have a mission that is consistent with Section 105(a)(15) of the Housing and Community Development Act of 1974;
2. Enact and execute community governing documents;
3. Manage and maintain community properties not owned or controlled by residents, Terrebonne Parish Consolidated Government or its public subsidiaries, or other parties as may be applicable;
4. Administer or procure the administration of community functions such as budgeting, revenue collection and disbursement, programming, or other services as is appropriate.

- **105(a)(16) – Planning and Capacity Building (Renewal Energy/Conservation):**

The community's master plan currently envisions development of on-site solar power, either through a large-scale solar farm, solar paneling installed on a unit-by-unit basis, or a combination of both. This eligible activity would allow for planning and capacity-building efforts related to such development activities.

- **105(a)(17) – Economic Development Assistance to For-Profit Business:**

Development of a new settlement for Isle de Jean Charles includes the development of a new commercial corridor for economic development purposes pursuant to the long-term economic sustainability of the settlement and its inhabitants. This may include assistance to for-profit businesses to (a) create or retain jobs for low- and moderate-income persons, (b) create businesses owned by community residents, (c) assist businesses that provide goods or services needed by, and affordable to, low- and moderate-income residents, or (d) provide technical assistance to promote any of the purposes listed herein.

- **105(a)(19) – Technical Assistance:**

The state may choose to conduct activities through a nonprofit it has historically partnered with, such as the Louisiana Land Trust, or through a successor nonprofit organization ultimately responsible for governance and maintenance of the new Isle de Jean Charles settlement upon completion of construction activities. As such, provision of technical assistance to a partner nonprofit may be appropriate in conjunction with development and post-construction programmatic activities.

- **105(a)(22) – Microenterprise Assistance:**

In the course of developing commercial activities within the new Isle de Jean Charles Community settlement, economic development activities may be required offering credit and other loan products, technical assistance and business support services, and general support to businesses with five or fewer employees.

- **105(a)(24) – Homeownership Assistance:**

The Isle de Jean Charles Resettlement Program envisions homeownership assistance activities in two forms:

1. Provision of direct assistance to members of the Isle de Jean Charles Community through homeownership assistance within a new Isle de Jean Charles Community settlement;
2. Provision of direct assistance to current and recently displaced permanent residents of Isle de Jean Charles through an option to secure off-Island permanent housing apart from a new community settlement.

Note, per 84 FR 4836, “as a condition of receiving newly constructed housing, the State plans to restrict owners’ use of their former land on the island as a primary residence.”

Program Budget

Current Program Budget in DRGR

Title	Current Budget
IDJC Acquisition of Real Property	\$12,300,000.00
IDJC Relocation	\$8,000,000.00
IDJC Optional Relocation Assistance	\$350,000.00
IDJC Public Facilities and Improvements	\$21,472,750.00
IDJC Economic Development Assistance	\$3,956,499.00
IDJC Planning and Capacity Building	\$2,300,000.00
Total	\$48,379,249.00

This Action Plan Amendment #5 does not propose specific budget changes. As is consistent with past programs, any future changes to eligible activities, national objectives and funding sources associated with

specific initiatives within the Isle de Jean Charles Resettlement Program will be made within program files and within the DRGR.

National Objective

All activities will meet either Low-to-Moderate Income (LMI) or Urgent Need (UN) national objectives in the manner described below:

- **Low to Moderate Income (LMI) National Objective** – Activities which benefit households whose total annual gross income does not exceed 80% of Area Median Income (AMI), adjusted for family size. Income eligibility will be determined and verified in accordance with HUD guidelines for adjusted gross income. The most current income limits, published by HUD annually, shall be used to verify the income eligibility of each household applying for assistance at the time the assistance is provided.
 - *Very Low:* Household's annual income is up to 30% of the area median income, as determined by HUD, adjusted for family size;
 - *Low:* Household's annual income is between 31% and 50% of the area median family income, as determined by HUD, adjusted for family size;
 - *Moderate:* Household's annual income is between 51% and 80% of the area median family income, as determined by HUD, adjusted for family size.
- **Urgent Need (UN) National Objective** – An urgent need that exists because existing conditions pose serious and immediate threat to health/welfare of community, the existing conditions are recent or recently became urgent (typically within 18 months) and the recipients cannot finance the activities on their own because other funding sources are not available.

Every household assisted under this program will meet one of these national objectives in the following ways:

- L/M Income Housing (direct benefit) if the household to be assisted is L/M and is occupying replacement housing.
- Urgent Need (direct benefit) – if the activity addresses the serious threat to community welfare following the disaster and the household assisted is above 80% AMI.

All programmatic activities specific to the Resettlement of Isle de Jean Charles are currently intended to benefit LMI persons based on area benefit, limited clientele, housing or employment (jobs). However, the program may provide benefits to populations meeting the UN definition, once all eligible LMI populations are served, should benefits provided to such UN populations be required in order to meet stated goals of the program, as outlined above in the section titled **Resettlement Goals: Safety, Collaboration, Sustainability and Preservation**.

Citizen Participation Requirements

Per streamlined citizen participation requirements for CDBG-NDR grants, as outlined in the Notice of Funding Availability (NOFA) detailing parameters and requirements relative to the National Disaster Resilience Competition (NDRC) as well as applicable Federal Register Notices (FRNs) published June 7, 2016

and August 7, 2017, respectively, the following measures have been taken to ensure applicable requirements have been met:

Reasonable opportunity (at least 15 days) for citizen comment prior to submittal:

Date amendment posted for formal public comment: April 8, 2019

Date amendment submitted to HUD: April 23, 2019

Citizens and organizations can comment on this amendment via:

- The OCD-DRU website, http://www.doa.la.gov/Pages/oed-dru/Action_Plans.aspx;
- Emailing them to oed@la.gov;
- Mailing them to Disaster Recovery Unit, P.O. Box 94095, 70804-9095, Attn: Janice Lovett; or
- Faxing them to the attention of Janice Lovett at (225) 219-9605.

One public hearing at the Applicant's level of government:

Hearing location: 2nd Floor Council Meeting Room at Government Tower, 8026 Main Street in Houma, Louisiana

Hearing date: Tuesday, April 16

Summary of Public Comments and State's Response